



PLANNING & ZONING REPORT

Zoning Board of Appeals Meeting of February 15, 2022

File # 003-22

APPLICANT: Attorney Sherry Harlan for Stephen Beers

LOCATION: 3303 North Main Street

REQUESTED ACTION: A Special Use Permit for residential self-storage buildings; and a Variation to reduce the required side yard setback from six (6) feet to zero (0) feet, a Variation to eliminate the four (4) foot open green space along the north and south sides of the property and a Variation to allow two freestanding monument signs on one lot in a C-2, Limited Commercial Zoning District.

EXISTING USE: Vacant Car Wash

PROPOSED USE: New residential self-storage buildings

DIMENSIONS: See attached Exhibit D.

ADJACENT ZONING AND LAND USES:

NORTH:	C-2;	Molly's, Nickel World
EAST:	R-4;	Multi-family Apartments
SOUTH:	C-2;	U-Stor-It, Commercial strip center
WEST:	C-1;	Cherry Blossom Florist, Single-family residences

YEAR 2020 PLAN: C Commercial Retail

SOILS REPORT: Report #22-40: **SWCD Comments:**

Erosion Concerns

The proposed land use of this site is self-storage facility. It is currently vacant woodland that is zoned C2. Soil disturbance will occur as a result of developing the site, which is slightly sloping and maybe susceptible to erosion. The area of disturbance will be greater than one acre, so an IEPA NPDES permit will be required; as well as any City/County Permit requirements.

Soil disturbance can create soil erosion which must be properly managed to prevent adverse environmental impacts. Erosion from construction sites is a leading cause of water quality problems in Illinois. Problems caused by this sediment include:

- Increased flooding – Sediment build-up lowers the flow capacity of channels causing more frequent flooding in areas that rarely or never flooded before

- Financial burden to taxpayers - Sediment that finds its way into streets, storm sewers, and ditches result in additional maintenance costs for local, state and federal governments
- Water quality impairment - Sediment laden runoff transfers nutrients and other pollutants to downstream lakes and rivers degrading aquatic habitats and increasing costs for water treatment.

Simple but effective controls include preserving existing trees and grass where possible, using silt fence to trap sediment on the down slope sides of the area of disturbance, using a gravel drive used by all vehicles to limit tracking of mud onto streets, cleaning up sediment carried off-site by vehicles or storms, installing curb inlet controls, using downspout extenders to prevent roof runoff from eroding exposed soil, locating soil piles away from any roads or waterways, and reseeding or sodding the site as soon as possible. The materials (silt fence, stakes, gravel entrance, inlet controls, and grass seed) are easy to find and relatively inexpensive.

Illinois Urban Manual is a resource of practices used throughout the State and can be accessed at <http://www.aiswcd.org/ium/>. The concept of these practices can be carried over to good housekeeping measures after development occurs and buildings are occupied to prevent stormwater runoff from becoming contaminated.

Surface and Groundwater Contamination from Heavy Equipment and Vehicle Traffic

There will be several vehicles moving on and stored on the site. Most of these vehicles are heavy duty pieces of equipment, with high capacity fuel tanks and large hydraulic oil reservoirs. Due to bedrock being at or near the soil surface, absorbents should be readily available in the event of a spill or leak to promptly contain hazards that would otherwise be environmentally harmful to groundwater recharge areas. Personnel should be properly trained to contain and clean up any spills. They should periodically check for indications of leaks or spills under or around vehicles and fix issues to prevent further contamination.

Properly label, store and dispose of all fluids and other hazardous chemicals to avoid environmental contamination. Keep storage containers off the ground to avoid stormwater contamination. Any fuel storage areas should be properly located away from high traffic areas; and have secondary containment.

Prevent stormwater from washing contaminants off the site in the event of a storm. Contaminants on impermeable surfaces (concrete, asphalt, rooftops, etc.) will wash off with rain and will eventually make its way into drainage ways which go directly to natural surface water areas (ditch, creek, river, etc.) without treatment. Avoid washing impermeable surfaces off with a hose, but rather use a broom and dispose of waste versus having contaminants wash off the site.

Rusty Patch Bumble Bee

The U.S. Fish and Wildlife Service listed the rusty patched bumble bee as endangered under the Endangered Species Act. Endangered species are

animals and plants that are in danger of becoming extinct. The rusty patch bumble bee is a pollinator that lives in prairies and grasslands which are one of the last species to go into hibernation. They need areas that provide nectar and pollen from flowers, nesting sites (underground), and overwintering sites for hibernating queens (undisturbed soil).

Many factors have led to the rusty patch bumble bee becoming an endangered species. Most of prairies and grasslands of the Upper Midwest and Northeast have been converted to monoculture farms or developed areas, such as cities and roads. Grasslands that remain tend to be small and isolated. Increases in farm size and technology advances improved the operating efficiency of farms but have led to practices that harm bumble bees, including increased use of pesticides, loss of crop diversity which results in flowering crops being available for only a short time, loss of hedgerows and the flowers that grew there, and loss of legume pastures.

There are numerous programs, research, and groups working towards helping the rusty patch bumble bee. Some things you can do to help include having flowering plants, providing natural areas with native plants, and minimize the use of pesticides and chemical fertilizer.

For more information visit <https://www.fws.gov/midwest/endangered/insects/rpbb/factsheetrpbb.html>

Native Plantings

Native plants like grasses and flowers provide critical habitat for many key species like the Rusty Patch Bumble Bee and Monarch Butterflies. These deep-rooted native species are preferred because of the abilities to enhance soil permeability and pollutant filtering and their reduced needs for fertilizer, herbicides, irrigation, and mowing. Unfortunately, loss and degradation due to the development of the land and an invasion of exotic species is a serious problem in Illinois.

HISTORY:

File #009-21: Modification of Special Use Permit #017-20 to allow temporary outdoor storage of trailers, campers, vans and related items in ten (10) parking spaces along the eastern and southern borders of the property and Variation to increase the size of the maximum permitted wall mounted identification sign from sixty-two (62) square feet to one hundred and seven point one (107.1) square feet in an I-1, Light Industrial Zoning District was approved on May 19, 2021 for the property located at 4850 North Main Street. This is located 10 blocks northwest of the subject property.

File #017-20: A Special Use Permit for outdoor storage of U-Haul truck rentals in an I-1, Light Industrial Zoning District was approved on November 4, 2020 for the property located at 4850 North Main Street. This is located 10 blocks northwest of the subject property.

File #010-15: A Variation to allow a reduction in landscaping frontage from 10' in width to 4'10 ½ " in width, Variation to reduce the sign setback from five (5) feet to zero (0) feet for a free-standing landmark style sign, Variation to reduce the required four (4) shade trees to two (2) shade trees in a C-2, Limited Commercial Zoning District was approved on November 4, 2015 for

the property located at 3231 North Main Street. This is south of the subject property.

File #079-01: A Special Use Permit for a Planned Mixed-Use Development for a self-storage facility (expansion of an adjacent property) in a C-2, Commercial Community Zoning District was approved on October 1, 2001 for the property located at 3231 North Main Street. This is south of the subject property.

REVIEW COMMENTS: The Applicant is requesting a Special Use Permit for residential self-storage buildings with a Variation to reduce the required side yard setback from six (6) feet to zero (0) feet, a Variation to eliminate the four (4) foot open green space along the north and south sides of the property and a Variation to allow two freestanding monument signs on one lot in a C-2, Limited Commercial Zoning District

The Applicant, Attorney Sherry Harlan, is representing the contract buyer for this request. The subject property is currently a car wash that is not in operation. The contract buyer owns the adjacent self-storage property to the south and would like the ability to expand the use. The expansion would consist of demolishing the vacant car wash building and constructing new warehouse buildings for residential self-storage. The property is zoned as C-2, Limited Commercial District and the use of self-storage is only allowed by Special Use. For that reason, the Applicant is requesting a Special Use Permit to allow the expansion.

The site is just over one acre in size. The Applicant has requested setback, landscaping and sign Variations to make the redevelopment of this site work. Exhibit D is subject property including the property south. The site would be developed with six (6) storage buildings with a circulation drive around the combined properties. The storage buildings would vary in size ranging from 1,750 square feet to 5,400 square feet. As part of this development, there will be a new stormwater detention pond on the adjacent property to the south. Frontage landscaping will be located along North Main Street and a landscaping buffer would be located in the rear adjacent to the multi-family. A Variation to eliminate the four (4) foot open green between the parking lot was requested and the buildings along the north to have a zero foot side yard setback. A retaining wall would be installed along the west, north and a portion of the east side of the property. The retaining wall along the west side would be extended to close off access from North Main Street. There are currently three (3) access points, two from the existing car wash site and one from the adjacent self-storage site. Only one would remain under this proposal. Additionally, there will be adequate access provide for Rockford Fire Department emergency vehicles. Exhibit D indicates an access drives at a minimum of 24 feet in width throughout.

Exhibit E is the proposed front elevation along North Main Street. The building will have decorative elements and brick. The elevation shows how it would be appear with the proposed signage, green area with landscape units and building elements.

Exhibit F shows the existing free-standing sign on the subject property. The Applicant is proposing to keep it but would change the face. The size is of

the size is 8' by 6' including the electronic display sign. Exhibit G shows the existing monument sign south of the subject property. The monument sign is 5' by 10' with a 3' by 10' brick base.

Exhibit H is the narrative provided by the Applicant. The Applicant indicates that this proposal will be an improvement to the property. The lot to the south along with subject property will be combined into one ownership. A landscaping plan will be submitted for staff's review and approval. Storm water run-off will be improved for both properties with the addition of a stormwater detention pond. The building elevation facing North Main Street will have decorative elements and brick. The access will be improved to the property and a loop provided for the Fire Department. The existing signs will be utilized for directing customers to the property. They will remain within the permitted height and square footage but the combination of the two properties will require except the variation request for two (2) free-standing sign. The Applicant has provided hardship within the Findings of Fact. The Applicant states, "the topography of the site creates the hardship and good design would not promote a landscape strip between the retaining wall to be built on the north and the building and would be very difficult to maintain. Additionally, the building itself will help promote water to flow as directed between the buildings and to be constructed detention pond on the Adjacent Parcel." The Applicant further states, "The topography of this site is unique with the significant drop in grade and as such the need for the variance." Staff feels that this will be an improvement for both properties.

Exhibit I is the service calls for the last two years. The service dates ranged from January 25, 2020 to January 25, 2022. There were a total of four (4) service calls. The reported offenses ranged from Suspicious person to Accident Hit and Run.

Over the years, the City and IDOT have been working on the road improvements along North Main Street and there was frontage landscaping and signage issues that affected the property to the south. Additionally, there have been a few requests to establish self-storage facilities in this area over the last couple of years. Based on the existing business operation and proposed redevelopment, staff feels that this would be an improvement to the corridor. For that reason, Staff supports this request.

RECOMMENDATION: Staff recommends APPROVAL of a Special Use Permit for residential self-storage buildings; and APPROVAL of a Variation to reduce the required side yard setback from six (6) feet to zero (0) feet, APPROVAL of a Variation to eliminate the four (4) foot open green space along the north and south sides of the property and APPROVAL of a Variation to allow two freestanding monument signs on one lot in a C-2, Limited Commercial Zoning District, subject to the following conditions:

1. Must meet all Applicable Building and Fire Codes.
2. No outdoor storage of trailers, campers, recreational vehicles, vans and related items.
3. Submittal of a landscaping plan for Staff's review and approval.
4. Submittal of sign permit for proposed wall mounted identification sign for Staff's review and approval.
5. Building must be constructed with architectural elements including brick or stone as shown in Exhibit E.
6. Submittal of a one-lot subdivision plat for Staff's review and approval.

SC: BM 02/07/2022

FINDINGS OF FACT FOR APPROVAL OF A SPECIAL USE PERMIT
FOR RESIDENTIAL SELF-STORAGE BUILDINGS
IN A C-2, LIMITED COMMERCIAL ZONING DISTRICT
LOCATED AT 3303 NORTH MAIN STREET

Approval of this Special Use Permit is based upon the following findings:

1. The establishment, maintenance or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
2. The Special Use Permit will not injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish or impair property values within the neighborhood.
3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the C-2 District.
4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
5. Adequate measures will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
6. The special use shall conform to the applicable regulations of the C-2 District in which it is located.

**FINDINGS OF FACT FOR APPROVAL OF A VARIATION TO
REDUCE THE REQUIRED SIDE YARD SETBACK FROM SIX (6) FEET TO ZERO (0) FEET
IN A C-2, LIMITED COMMERCIAL ZONING DISTRICT
LOCATED AT 3303 NORTH MAIN STREET**

Approval of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for this Variation are based are unique to the property for which the Variation is sought and are applicable, generally, to other property within the same zoning classification.
3. The purpose of this Variation is based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is caused by this Ordinance and has been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of this Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.

**FINDINGS OF FACT FOR APPROVAL OF A VARIATION TO
ELIMINATE THE FOUR (4) FOOT OPEN GREEN SPACE ALONG
THE NORTH AND SOUTH SIDES OF THE PROPERTY
IN A C-2, LIMITED COMMERCIAL ZONING DISTRICT
LOCATED AT 3303 NORTH MAIN STREET**

Approval of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for this Variation are based are unique to the property for which the Variation is sought and are applicable, generally, to other property within the same zoning classification.
3. The purpose of this Variation is based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is caused by this Ordinance and has been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of this Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.

**FINDINGS OF FACT FOR APPROVAL OF A VARIATION TO
ALLOW TWO FREESTANDING MONUMENT SIGNS ON ONE LOT
IN A C-2, LIMITED COMMERCIAL ZONING DISTRICT
LOCATED AT 3303 NORTH MAIN STREET**

Approval of this Variation is based upon the following findings:

1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The conditions upon which a petition for this Variation are based are unique to the property for which the Variation is sought and are applicable, generally, to other property within the same zoning classification.
3. The purpose of this Variation is based exclusively upon a desire to increase the value or income potential of the property.
4. The alleged difficulty or hardship is caused by this Ordinance and has been created by any persons presently having an interest in the property or by any predecessor in title.
5. The granting of this Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
7. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.



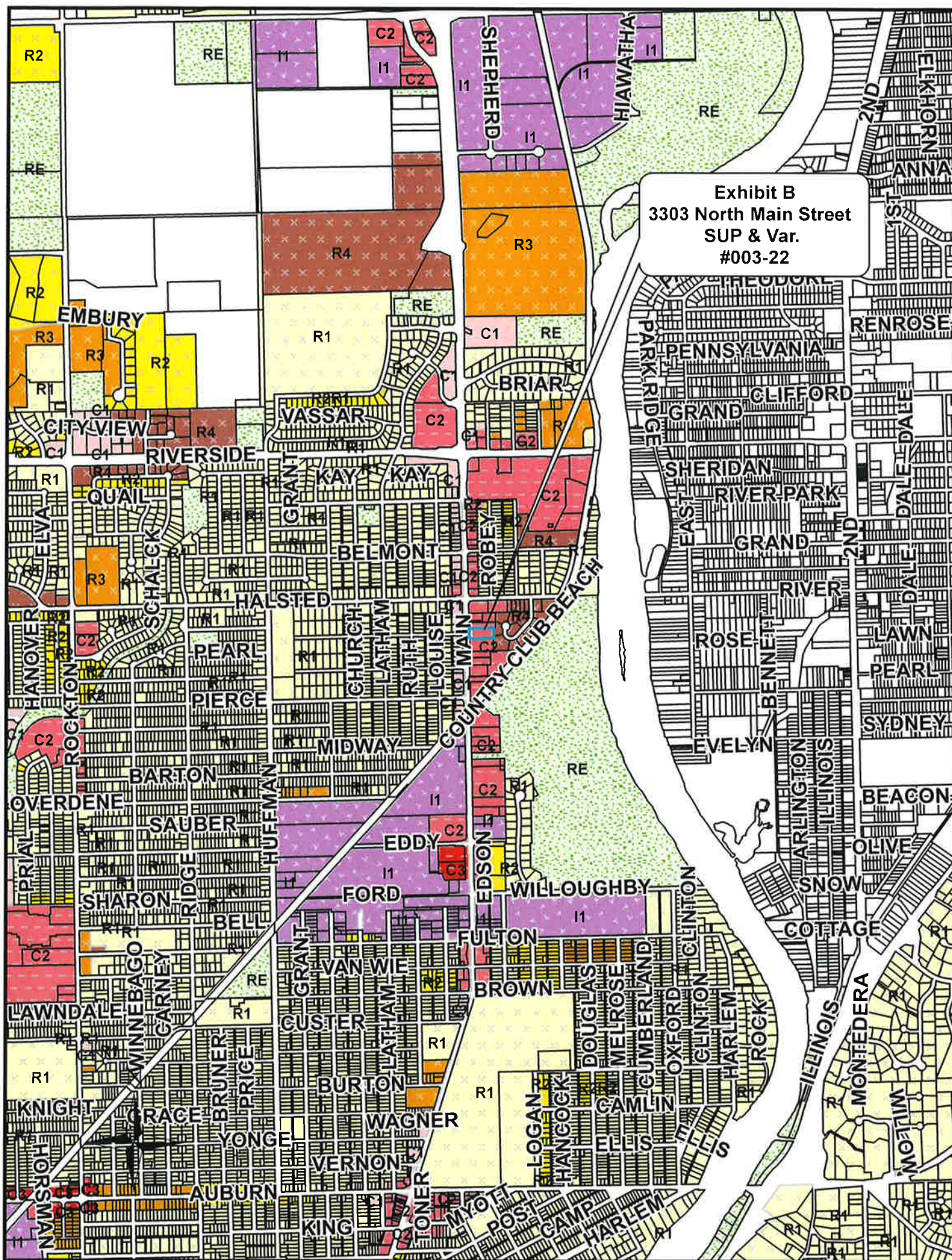


Exhibit B
3303 North Main Street
SUP & Var.
#003-22



Exhibit E
3303 North Main Street
SUP & Var.
#003-22



BUILDING "F" ALONG MAIN ST.

3303 N Main-Existing



Exhibit F
3303 North Main Street
SUP & Var.
#003-22

3231 N Main-Existing



Exhibit G
3303 North Main Street
SUP & Var.
#003-22

Exhibit H
3303 North Main Street
SUP & Var.
#003-22

Additional Comments Submitted by Applicant in Support of its Special Use Application And Variances for the Subject Parcel 33XX Main Street, PIN number 11-12-101-039. (Note: WINGIS does not ascribe a full address to the site, but the existing business on site uses 3303 N. Main Street).

1. Applicant, Steve Beers, owns mini storage units throughout Illinois and operates such units as a well-managed business providing needed storage services to the Rockford Area. The Adjacent Parcel has been owned by Mr. Beers since 2019. The Adjacent Parcel has full occupancy and as such the opportunity to purchase and repurpose the adjacent car wash ("Subject Property") for expansion was acted upon. As noted on the site plans attached ("Site Plans") the front of the new storage building (Building F) facing North Main Street, will contain decorative elements and brick as a gateway to the whole development. All setbacks have been provided per Ordinance and appropriate landscape strips provided per Ordinance on the Subject Parcel except along the north property line where a variance is requested and described below. A separate landscape plan for the Subject Parcel will be provided at a later date and would be a condition of the special use being granted.
2. Applicant intends to combine the PIN for the Subject Parcel with his existing storage facility located adjacent to the Subject Parcel at 3231 N. Main Street (11-12-101-045) ("Adjacent Parcel"). A combination form will be filed upon zoning and acquisition or a one lot plat filed as determined by the City of Rockford
3. All stormwater detention for both the Adjacent Parcel and the Subject Parcel will be provided on the Adjacent Parcel per City of Rockford Code as shown on the Site Plans. The new surface stormwater detention pond to be constructed will reduce the impact of stormwater run-off to downstream properties.
4. A clear loop has been provided for access by the Rockford Fire Department from the Adjacent Parcel with 24 foot drive aisles. Fire trucks will enter and exit from the existing one point of access on the Adjacent Parcel and be able to complete a full loop around the storage buildings to be constructed on the Subject Parcel. Currently access for fire trucks on the Adjacent Parcel is very limited as to the ability of the truck to turn on-site and serve all buildings.
5. Landscaping will be provided along North Main Street and as a buffer to the apartments to the east on the Subject Parcel as a part of a to be submitted landscape plan for the Subject Parcel.
6. The combined Site Plans improves general congestion as to access along North Main by reducing the three access points from the two parcels to just the existing access on the Adjacent Parcel. Currently the two access points on the Subject Parcel are very close to the access to the Molly's site to the north and are not lined up well with the Deborah Avenue intersection.
7. Applicant requests that it be able to retain the existing two monument signs on the Adjacent and Subject Parcels and is requesting a variance to retain the two signs after the Subject and Adjacent Parcels are combined or replatted into one lot. The size of each existing sign

is contained on the attached Site Plans. In support of the requested variance the Applicant states as follows pursuant to 1604.5:

- a. Both signs exist currently. There is no new monument signage. With the reduction of access from three access points to one access point, there is an additional need to notify the clients of the storage location's entrance. The electronic sign on the Subject Parcel can be programmed with pertinent information relevant to the site but cannot be the only sign if there is no access to the Subject Parcel except from the Adjacent Parcel.
 - b. The conditions are unique because these two parcels could remain independent with their own signage but for the purpose of good development, Applicant is combining the parcels and as such the circumstances are unique.
 - c. The signs are to advertise and notify customers of access to the parcels and currently exist.
 - d. The Ordinances of the City of Rockford require either combination of the parcels or platting of the parcels creating this hardship.
 - e. The signs exist currently and are not and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.
 - f. The variance if granted will not impair light or air, increase congestion to the streets, increase fire or endanger the public or decrease property values because the signs already exist and the combined lots or the one lot plat will actually decrease traffic congestion, improve fire access, improve water detention and overall create a better development; but signage is key to customer access and as such applicant requests the ability to leave the two signs that exist.
 - g. The proposed variance complies with the spirit and intent of restriction imposed by the Ordinance because it does not change what is currently existing and permitted.
8. Applicant is requesting a variance to the north set back line of the Subject Property with no set back provided and no landscape strip between the north property line and the Molly's business located directly to the north. Due to the grade which decreases almost eight feet from the north lot line of the Subject Parcel to the south line of the Adjacent Parcel, significant retaining walls have been constructed along many of the properties along north main and one exists between Molly's and the north lot line and currently along North Main Street in front of the Adjacent and Subject Parcels. Placing the buildings along the north property line will reinforce the retaining wall that will need to be constructed and visually it would not make sense or be practical to have the Molly's existing fence, the wall and then a small strip of landscaping between the wall and the building. As such landscaping will be placed along the east and west lot lines of the Subject Parcel. In support of the variance request, pursuant to Section 1604.5 the Applicant states as follows:
- a. As stated above the topography of the site creates the hardship and good design would not promote a landscape strip between the retaining wall to be built by jhr

north and the building and would be very difficult to maintain. Additionally the building itself will help promote water to flow as directed between the buildings and to the to be constructed detention pond on the Adjacent Parcel.

- b. The topography of this site is unique with the significant drop in grade and as such the need for the variance.
- c. The variance is not based on any monetary or income potential but rather on good engineering and design for the site.
- d. The variance is caused by the Ordinance which requires a side yard setback and a landscape strip and not by the applicant.
- e. The variance will not be detrimental to the public welfare or injurious to the other property or improvements in the area, but rather will assist with good storm water flow and internal traffic on the two parcels.
- f. The variance will not impair light or air to adjacent property. The Molly's site is set farther to the north and there is a large access drive to the Molly's property and as such setting the building against the property line does not decrease light or air or increase any congestion, but in fact eliminates congestion by eliminating the two access points existing on the Subject Parcel. By pushing the buildings to the north property line, better traffic also exists for fire access which decreases fire danger and increases public safety and will not diminish but should increase property values with the new design.
- g. The variation complies with the spirit and intent of the ordinance.

Please note that calls are subject to change as Calls for Service are submitted. Offenses represent the initial call: not the verified offense.

City of Rockford Police Department Calls for Service For 1/25/2020 to 8/15/2020



CFS Number	CFSDate	Time	Reported Offense (Non-Verified)
20-019550	02/21/2020	0:52	7332 Suspicious person

1

Data obtained from NetRMS.
Produced: 1/26/2022 2:35:53PM

Location

3303 N MAIN ST

Please note that the Call for Service is specified for a property. Location is not specific to any person, place, or event. Call for service location is tied to the location to where the call was received.

Exhibit I
3303 North Main Street
SUP & Var.
#003-22

1

Call Number	Event Date	Location	Situation Reported
21-135334	2021-06-29T14:12:07	3303 N Main St	ABANDONED VEHICLE
20-056244	2020-10-23T14:07:20	3303 N Main St	BURGLARY CHECKED
20-047902	2020-10-11T14:45:05	3303 N Main St	ACCIDENT HIT AND RUN